

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

ADOLFO MENDEZ-NOUEL,

Plaintiff

-v-

MICHELLE RODRIGUEZ, et al.,

Defendants.

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25-CV-05439 (JAV) (HJR)

ORDER

JEANNETTE A. VARGAS, United States District Judge:

On July 23, 2025, Defendant Michelle Rodriguez filed a motion to dismiss the complaint under Rule 12(b) of the Federal Rules of Civil Procedure. ECF No. 33. Defendants Margaret Donohoe, Paul Talbert, and Lisa Gardner's time to respond to the Complaint has been extended to August 20, 2025. ECF No. 31.

Under Rule 15(a)(1)(B), a plaintiff has twenty-one (21) days after the service of a motion under Rule 12(b) to amend the complaint once as a matter of course. For purposes of judicial efficiency and orderly management of the docket, the Court hereby ORDERS that Plaintiff's deadline to amend the Complaint to address issues in any motions to dismiss that may be filed in this case is extended to **September 19, 2025**. Plaintiff will not be given any further opportunity to amend the complaint to address issues raised by any motions to dismiss.


If Plaintiff does amend, by **October 10, 2025**, Defendants shall: (1) file an answer; (2) file a new motion to dismiss; or (3) file a letter on ECF stating that it relies on the previously filed motion to dismiss. If Defendants file an answer or a new motion to dismiss, the Court will deny the previously filed motion to dismiss as moot. If any Defendant files a new motion to dismiss or indicates that it relies on its previously filed motion to dismiss, Plaintiff's opposition papers shall be due by **November 7, 2025**, and any reply shall be filed by **November 14, 2025**.

If no amended complaint is filed, Plaintiff shall file any opposition to any motions to dismiss (including any motion to dismiss filed by Donohoe, Talbert, or Gardner) by **September 19, 2025**, and Defendants shall file any reply by **September 26, 2025**.

SO ORDERED.

Dated: July 29, 2025

New York, New York


 JEANNETTE A. VARGAS
 United States District Judge